# AFFIDAVIT OF SERVICE AND DEPOSIT OF PETITION TO AMEND THE MARCH 25, 1999 PETITION FOR INCORPORATION OF THE CITY OF TALKEETNA

l, <sub>-</sub> de <sub>l</sub>	being first duly sworn on oath, bose and state that:
On	or before the
1.	On the
	prepaid, to the Matanuska-Susitna Borough.
2.	On the
	the amending petition was deposited with the full set of petition documents available for public review at the Talkeetna Public Library during normal
	business hours. The Petitioners' Representative understands his obligation
	to add materials as they are filed in this matter, to those available for public review at the Talkeetna Public Library. The documents will remain available
	for public review through the last date on which the Local Boundary
	Commission may reconsider its final decision on the petition under 19 AAC
	10.580.  SIGNATURE OF AFFIANT
SL <u>C</u>	UBSCRIBED AND SWORN TO BEFORE ME THIS 44h DAY OF 2tober, 1999.
_/ No My	Vancy Trumpe DECEIVED, otary Public Of Commission expires: 6/29/02
•	OCT 0 6 1999

Local Boundary Commission

Enclosed you will find a copy of the amended petition for incorporation of the City of Talkeetna (with changes highlighted) along with the original petition so that you will be able to see what changes have been proposed. The changes occur primarily on pages 2-3, 10-11, and 14-16.

#### Key Items Include:

- Sales Tax-- Our intention is to offer voters the option of choosing whether a sales tax be 4% seasonal or 2% annual with incorporation being dependent on voter approval of one of them. The sales tax would be limited to a maximum of \$10 on any single transaction, and would apply only to non-essential items (as determined by the Talkeetna City Council). Exempt items might include groceries, fuel, and medical services.
- Bed Tax-- This non-binding tax proposal has been deleted from the incorporation petition.
- Budget-- The first year's operating budget reflects salaries for a part-time city manager, a part-time city clerk/treasurer, a full time public works operator, and a seasonal recreation director. The second and third year's operating budget adds salaries and expenses for the operation of the library and the solid waste transfer site. It also includes revenues and expenses related to the operation of the water and sewer system.
- Boundaries-- A city should include "all land and water necessary to provide the full development of city services on an efficient, cost-effective level." The amended petition for incorporation adds Section 28 (T26N, R4W) in order to insure that all potential access routes to the Freedom Hills subdivision (a topic of much dispute between subdivision land owners and the MSB) will be within the city boundary.
- Water and Sewer-- The City of Talkeetna will assume management of the water and sewer system within eighteen months of incorporation. The existing "user fees" or a "differential tax zone" will provide the source of revenue for this service.
- Solid Waste-- The City of Talkeetna will take over management of solid waste within 18 months of incorporation.
- Animal Control-- The City of Talkeetna will take over management of animal control within 6 months of incorporation.
- Libraries-- The City of Talkeetna will take over management of this nonareawide service within eighteen months of incorporation.

# PETITION FOR INCORPORATION OF A HOME RULE CITY WITHIN AN ORGANIZED BOROUGH

TO: The State of Alaska, Local Boundary Commission

The petitioners seek incorporation of the city government described herein. Petitioners seek the proposed city incorporation under the provisions of AS 29.05.011 - AS 29.05.021, AS 29.05.060 - AS 29.05.150; 19 AAC 10.010 - .040, 19 AAC 10.400 - .660 and 19 AAC 10.900 - .990.

1. NAME OF PROPOSED CITY: Talkeetna.

2. TERRITORY PROPOSED FOR INCORPORATION: The following is a short, general description of the territory proposed for incorporation.

The proposed boundaries for the incorporated city of Talkeetna match those currently used for the Talkeetna Community Council, which are North - Southern Shore of the Talkeetna River; West - East Shore of the Susitna River; East - Approximately one mile east of the Talkeetna Spur Road and including the length of the Comsat Road and to the Talkeetna River Sub-Division; South - Roughly Mile Six of the Spur Road at Answer creek.

3. **PETITIONERS' REPRESENTATIVE:** The petitioners appoint the following person to act as our primary representative on all matters regarding the proposed incorporation:

Sandy Shoulders

P.O. Box 236

Talkeetna, Alaska 99676

Telephone: (907) 733-3050

FAX: (907) 733-3070

The petitioners appoint the following person to act as our alternate representative on all matters regarding the proposed incorporation if the primary representative is absent or if the primary representative resigns or fails to perform his or her duties:

Joe Page

P.O Box 158

Talkeetna, Alaska 99676

Telephone: (907) 733-1060

- 4. REASONS FOR INCORPORATION: A concise statement of the reasons that the petitioners wish to form the city government is provided as **Exhibit A**.
- 5. SIZE: The total area of land and water included in the territory proposed for incorporation is estimated to be 24 square miles.
- 6. MAPS AND LEGAL DESCRIPTIONS:
  - (1) A written metes and bounds legal description of the territory proposed for incorporation is presented as **Exhibit B**.
  - (2) A map of the territory proposed for incorporation is presented as **Exhibit C**.
- 7. POPULATION IN TERRITORY PROPOSED FOR INCORPORATION: The population of the territory proposed for incorporation is estimated to be: 758

- 8. NUMBER OF VOTES CAST IN LAST STATE GENERAL ELECTION: The number of votes cast in the last State general election within the territory proposed for incorporation is: 298. A letter from the State Division of Elections or other documentation of the number of votes cast is provided as Exhibit D.
- 9. CITY COUNCIL: The city council will be composed of 6 (six) members elected at-large. In addition, the mayor will be elected at large.
- 10. PROPOSED CITY TAXES: The petitioners propose that the City levy the following taxes. To the extent that the Charter of the City requires voter authorization of the power to levy such taxes, it is requested that a proposition be placed on the incorporation ballot seeking such authorization.

State law allows petitioners to request that incorporation be made dependent upon passage of propositions authorizing the city to levy property taxes and/or sales taxes. Column number three expresses the petitioners' desire concerning making incorporation dependent upon approval of any of the taxes.

_	TAX TYPE	TAX RATE	INCORPORATION DEPENDENT UPON VOTER APPROVAL?	
	Sales Tax* OR	4% Seasonal 2% Year-round	Yes (voters will select one of these two)	Deleted
	be determined by the Talkee	tna City Council.	es tax apply only to non-essential items to Exempt items might include groceries, dollar tax cap will apply to each individua	7

11. TAXABLE VALUE OF PROPERTY: The taxable value of property within the territory proposed for incorporation is estimated as follows:

Real property \$ 33,709,500 (est. January 1999)
Personal property \$ n/a
TOTAL \$ 33,709,500 (est. January 1999)

12. EXISTING BOROUGH TAXES: Listed below are the type and rate of each tax currently levied by the borough in the area proposed for incorporation.

TAX TYPE	TAX RATE
SALES TAX	0
USE TAX	5%
AREA WIDE PROPERTY TAX	12.25mil
NON-AREA WIDE PROPERTY TAX	.75
SERVICE AREA PROPERTY TAX	
Flood	.9
Fire	1.7
Road	2.5
Sewer/Water	1.8

- 13. EXISTING BOROUGH SERVICES: The services currently provided by the borough are identified below:
  - A. Area wide (throughout the borough)

transaction.

Education, Assessment and collection of taxes, Land use regulations, Parks and Recreation, Ambulance, Ports harbors and wharves, Planning and Zoning, Historic Preservation, Transient Accommodations Taxation, Air Pollution, Day Care Regulation, Transportation Systems.

- B. Non-area wide (that part of the borough lying outside cities)
  Fireworks, Motor Vehicle Licensing, Snow Vehicles Regulation, Water Pollution
  Control, Solid Waste Disposal, Libraries, Animal Control, Septic Tank Disposal,
  Economic Development, Regulation of Obscene Nude Dancing, Limited Health
  & Social Service.
- C. Service areas in all parts of the borough Fire, Road, Flood, Water/Sewer, Erosion.
- D. Service areas within 20 miles of area proposed for incorporation Talkeetna Water and Flood Control Service Area Talkeetna Water and Sewer Service Area Talkeetna Road Service Area
- 14. OPERATING BUDGET: An operating budget projecting income and expenditures during the city's <u>first three full years</u> of operation is attached to this petition as **Exhibit E**.
- 15. POWERS: The powers and duties to be exercised by the proposed city are described below.

The City of Talkeetna may exercise all powers and duties of a home rule city as provided by law. These include general administration, taxation upon voter approval, and provision of the services listed in Section 16 and as described in the charter.

16. SERVICES: The following describes the services which the new city will provide and when the city will extend the services Also indicated is the organization, if any, which currently provides each service listed.

## SERVICE DATE WHEN CITY WILL ORGANIZATION CURRENTLY BEGIN SERVICE DELIVERY PROVIDING SERVICE

Road Maintenance	Within 6 months	Mat-Su Borough
Water & Flood Cont.	Within 6 months	Mat-Su Borough
Water & Sewer	Within 18 months	Mat-Su Borough
Library	Within 18 months	Mat-Su Borough
Parks & Recreation	Within 6 months	Mat-Su Borough
Solid Waste Disposal	Within 18 months	Mat-Su Borough
Animal Control	Within 6 months	Mat-Su Borough

- 17. MEDIA AND CONTACTS: The names, mailing addresses, telephone numbers and fax numbers of the principal newspaper(s), radio station(s) and other media that serve the community are listed in Exhibit F. Also listed in Exhibit F is the following information: at least 3 public and prominent places within the area proposed for incorporation designated for posting of notice of the incorporation proceedings; a place within the community where the incorporation petition will be made available for public review; and the name and mailing address of interested parties who the petitioners believe should be provided individual notice of the incorporation proceedings.
- 18. ADJACENT GOVERNMENTS: The following is a list of cities and boroughs with boundaries extending to within 20 miles of the territory proposed for city incorporation.

  Matanuska-Susitna Borough
- 19. FEDERAL VOTING RIGHTS ACT INFORMATION: Information relevant to the federal Voting Rights Act is provided in Exhibit G. This includes the following:

Population of the territory by race; Predominantly Caucasian.

- Description of the participation by minorities (if any) in the development of the incorporation proposal; Neither of the approximately 3 Native Alaskans or the Three African Americans participated in this phase of the process.
- Statement concerning minorities' understanding of English in written and spoken forms within the territory proposed for incorporation; All minorities in the proposed area communicate in English.
- Statement concerning the effect of the proposed incorporation on the voting rights of minorities. There is none.
- 20. TRANSITION PLAN: A detailed plan providing for the transition to city government, including tentative dates for the assumption of powers, duties, assets and liabilities is attached to this petition as Exhibit H. This plan was developed in cooperation with the borough and all other affected municipal governments. This cooperation is documented by correspondence and other materials, (meeting minutes, resolutions from the borough, etc.).

The transition plan also demonstrates the following:

- (a) the intent and capability of the petitioners to extend essential city services into the territory proposed for incorporation;
- (b) the manner in which the city will assume all relevant and appropriate powers, duties, rights and functions presently exercised by any existing entity located in the territory proposed for incorporation; and
- (c) the manner in which the city will assume and integrate all relevant and appropriate assets and liabilities of any existing entity located in the territory proposed for city incorporation, and procedures as to how the transfer will occur without loss of value in assets or loss of credit reputation.

The plan is designed to create an orderly, efficient and economic transition to city government in the shortest practicable time, not to exceed two years after the effective date of the proposed city incorporation.

- 21. BRIEF: Exhibit I provides a written statement fully explaining how the incorporation satisfies all the standards set forth in AS 29.05.011 29.05.021, AS 29.05.130, and 19 AAC 10.010. 19 AAC 10.040. The brief references each of these standards and explains why the proposed incorporation is good public policy. Further, the brief describes why the proposed city can provide needed services better than the borough can on an area wide, non-area wide or service area basis. The brief also describes how incorporation of proposed city would effect better provision of such services than would annexation of the area to an existing city. Assertions are supported with detailed facts, including census data and relevant reports from state or federal agencies.
- 22. SOURCE AND ACCURACY OF INFORMATION: An affidavit of the petitioners' representative swearing that the information in the petition was gained from the sources indicated therein and stating that the information in the petition is true and correct to the knowledge of the petitioners' representative is provided as Exhibit J.
- 23. CHARTER: Exhibit K consists of the proposed home rule charter of the City. The home rule charter is adopted if voters approve incorporation of the City.
- 24. PETITION SIGNATURES: Exhibit L contains the signatures, printed name, resident address and voter identification information of at least 50 voters in the proposed city or at least 15 percent of the number of voters who voted in the area proposed for incorporation during the last State general election, whichever is greater.

# Exhibit A STATEMENT OF REASONS FOR INCORPORATION PETITION

The following is a concise statement of the reasons that the petitioners wish to form a city government.

We, the petitioners, believe that an incorporated city of Talkeetna can efficiently and economically provide for the services and needs of the area proposed for incorporation. While many Talkeetna residents settled in the area to escape from the ways of the city and have been reluctant to add another layer of government to their lives, it has become obvious that an increasing population base along with an increasing number of visitors requires a locally based government to effectively deal with social, economic, health, safety, and general welfare issues faced by local citizens. We believe that by incorporating as a home rule city and by establishing a Council-Manager form of city government the citizens of Talkeetna will best be served.

Talkeetna citizens must presently drive ninety miles to Palmer, Alaska in order to affect decisions which govern their lives. By the nature of this distance, it is difficult for local residents to make known their wishes and desires on issues affecting local concerns. Public hearings on road service policy, noise ordinances, or comments on the appropriate level of support for parks and recreation require a four hour round trip drive, frequently at night on icy winter roads. Clearly, this is not an efficient or economic method of conducting local government.

The Matanuska-Susitna Borough's population base is centered in Palmer and Wasilla, two communities whose policies toward resource and economic development are often different than policies desired by the citizens of Talkeetna. The majority of elected representative to the Matanuska-Susitna Borough Assembly are quite rightly more concerned with urban issues and are not as familiar with the issues and problems faced by our more rural/remote community. Consequently, it is difficult and an inefficient use of time and energy for local citizens to inform assembly representatives and borough officials about issues which could be more effectively dealt with at the local level.

The Matanuska-Susitna Borough is very large (about the size of the state of West Virginia). We agree with the combined resolution No. 89-1 of the City of Wasilla and the City of Palmer, "that the present physical size and the socioeconomic diversities within the Matanuska-Susitna Borough result in significant inefficiencies and inequities in the provision of and cost of government services." (See Exhibit M)

A 1994 Talkeetna Impact Study sponsored by the Matanuska-Susitna Borough and the National Parks Service found, "Practically and figuratively, city incorporation will be a milestone event in Talkeetna's evolution. In our judgment, the choice whether to form a city government should primarily be made on broad concerns about overall community needs, not as an ad hoc response to visitor center concerns." (Exhibit M, Transport Pacific Study, p. 2-20) Presently, we believe that broad concerns, not an isolated issue, are the driving force behind this move to incorporate Talkeetna as a city. The economic development of Talkeetna is an issue that will not go away. The primary question is whether or not Talkeetna residents want to deal with these issues on a local level, or whether we prefer that responsibility and decision making powers remain with a government body located ninety miles away.

A 1991 Matanuska-Borough random survey showed 52% favored incorporation and a 1991 Talkeetna Community Council advisory vote showed 80% favored investigating incorporation options. We, the petitioners, believe that a majority of Talkeetna residents are ready to assume the responsibility of incorporation as a home rule city. A local city government will:

- \* Create a process for local citizens to make informed and binding decisions using a city council form of government backed by the people's right of initiative and referendum.
- \* Better provide the level of services desired by the community.
- \* Establish, as needed and desired, controls over development that affect the quality of life in our community due to pressures of increasing population.
- \* Provide a credible local voice to deal with all political and bureaucratic entities.
- \* Better match operating and capital funds with local priorities.

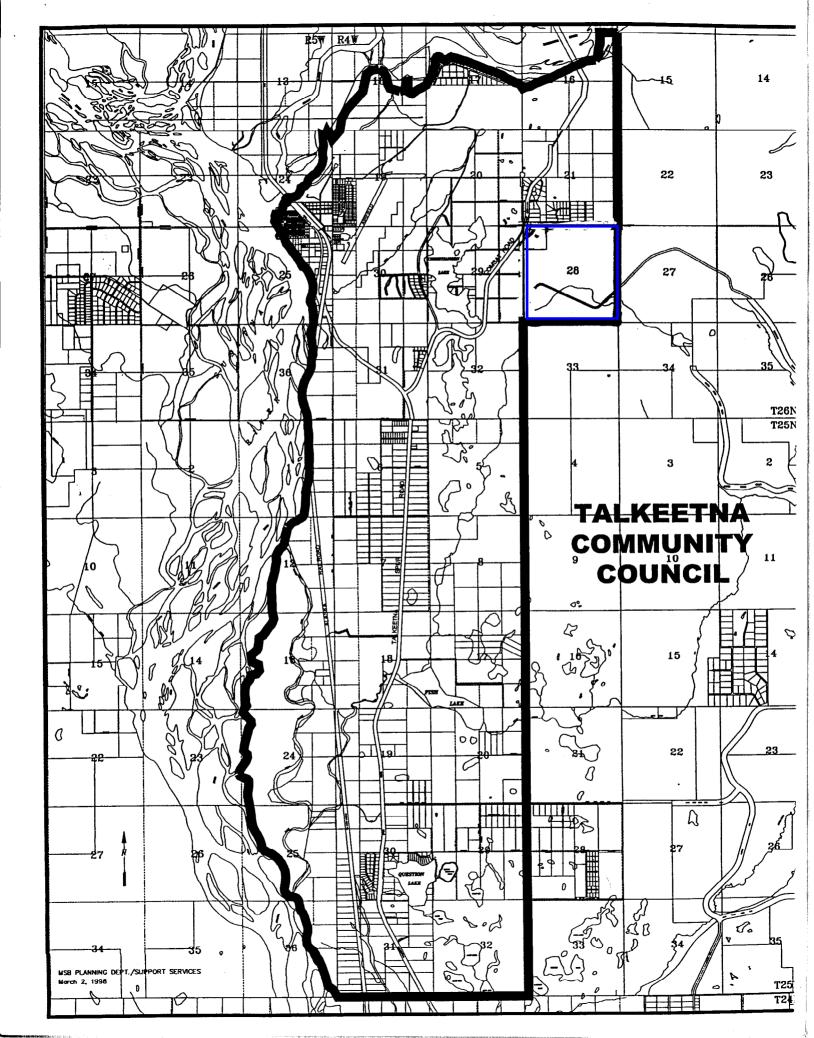
# Exhibit B METES AND BOUNDS LEGAL DESCRIPTION OF BOUNDARIES OF TERRITORY PROPOSED FOR CITY INCORPORATION

(use additional pages, if necessary)

Township	Range	Section
All within the Seward	Meridian	
25 NORTH	4 WEST	ALL OF 5 THROUGH 8, 17 THROUGH 20, AND 29 THROUGH 32.
25 NORTH	5 WEST	ALL OF 1, 12, 13, 24, 25 AND 36 LYING EAST OF THE ORDINARY HIGH WATER LINE OF THE SUSITNA RIVER.
26 NORTH	4 WEST	ALL OF 16 THROUGH 19 LYING SOUTHEAST OF THE ORDINARY HIGH WATER LINE OF THE TALKEETNA RIVER: AND ALL OF 20, 21, AND 28 THROUGH 32.
26 NORTH	5 WEST	ALL OF 24, 25, AND 36 LYING EAST OF THE ORDINARY HIGH WATER LINE OF THE SUSTINA RIVER.

# Exhibit C MAP OF TERRITORY PROPOSED FOR INCORPORATION

See Attached Page



## Exhibit D

# Documentation of the NUMBER OF VOTERS REGISTERED IN the TERRITORY PROPOSED FOR INCORPORATION

A letter from the State Division of Elections, Borough Clerk or other documentation indicating the number of registered voters living in the area is attached.

See attached page.

# **Exhibit E OPERATING BUDGET**

Projections of city income and expenditures during the city's <u>first three full years</u> of operation are included in this exhibit.

## Operating Budget

PART 1: Expenses			
PERSONNEL	YEAR 1	YEAR 2	YEAR 3
1) City Manager (part time)	\$30,000	\$30,000	\$30,000
2) City Clerk/Treasurer (part time)	30,000	30,000	30,000
3) Public Works Utility Operator	40,000	40,000	40,000
4) Seasonal Recreation Director	10,000	10,000	10,000
5) Librarian	0	40,000	40,000
Solid Waste Employee	0	40,000	40,000
7) Benefits	35,000	45,000	45,000
Total personnel costs	\$145,000	\$235,000	\$235,000
FACILITIES		•	
1) Office rental	\$10,000	\$10,000	\$10,000
2) Telephone/fax/postage	3,000	3,000	3,000
Office supplies/copying	1,000	1,000	1,000
Office machines/maint.	8,000	2,000	2,000
5) Subscriptions/memberships	2,000	2,000	2,000
6) Utilities	2,000	2,000	2,000
Total facilities costs	\$26,000	\$20,000	\$20,000
CONTRACTUAL SERVICES			
1) Legal services	\$6,000	\$3,000	\$3,000
2) Insurance	15,000	15,000	15,000
3) Printing	1,000	1,000	1,000
5) Auditing	2,000	2,000	2,000
Total contractual services	\$24,000	\$21,000	\$21,000
CITY SERVICES			
1) Road maintenance	\$50,000	\$51,500	\$53,000
2) Parks & Recreation	10,000	10,000	10,000
Water & Flood Control	5,000	5,000	5,000
4) Cemetery Maintenance/Burials	2.000	2.000	2.000
5) Water & Sewer	40,000	42,000	44,000
6) Solid Waste	0	60,000	60,000
7) Libraries	-	40,000	40,000
Total city services	\$107,000	\$210,500	\$214,000

TOTAL EXPENSES	\$310,450	\$494,950	\$498,450
Total other expenses	\$ 8,450	\$ 8,450	\$ 8,450
4) Misc.	1,200	1,200	1,200
<ol><li>Council meeting expenses</li></ol>	1,250	1,250	1,250
2) Elections	1,000	1,000	1,000
1) Travel	\$ 5,000	\$ 5,000	\$ 5,000
OTHER EXPENSES			

## Operating Budget

## PART 2: Income

	YEAR 1	YEAR 2	YEAR 3
STATE FUNDS			
1) Organizational grant	\$50,000	\$25,000	0
2) Revenue sharing	10,000	10,000	10,000
3) Municipal assistance	10,000	10,000	10,000
Total state funds	\$70,000	\$45,000	\$20,000
LOCAL TAXES			
1) Property tax(3.5 mil)	\$120,000	\$ 130,000	\$140,000
2) Sales Tax	120,000	130,000	140,000
Total local taxes	\$240,000	\$260,000	\$280,000
FEES			
1) Burial fees	\$ 1,000	\$1,000	\$1,000
2) Park fees	5,000	5,000	5,000
3) Water & Sewer	115,000	120,000	125,000
4) Solid Waste	0	25,000	25,000
5) Libraries	0	25,000	25,000
Total fees	\$121,000	\$176,000	\$181,000
TOTAL REVENUE	\$431,000	\$481,000	\$491,000

# EXHIBIT F MEDIA AND CONTACTS

The name, address, telephone number and fax number of the newspaper(s), radio station(s) and other media that serve the community are listed below.

	•			
NEWSPAPER Name:	Frontiersman			
Address:	5751 East Mayflower Court			
Telephone:	Wasilla, Alaska 99645			
Telephone: Fax:	(907) 376-3289 (907) 352-2277			
PUBLIC RADIO	STATION			
Name: Address:	KTNA BO 200			
Address.	<u>P.O. 300</u> Talkeetna, Alaska 99676			
Telephone: Fax:	(907) 733-1700 (907) 733-1700	•		
Name:	ISION SCANNER			
Address:				
Telephone:				
Fax:				
OTHER				
A minimum of th	hree public and prominent place	s designated for posting of notice rela	iting to the	
incorporation pr	oceedings.	Nagley's Store, Latitude 62 Lodge	8	
	office, Talkeetha Fuolic Library,			
Also noted are th	community where the incorporat	tion petition will be made available for will normally be available for public	r public review	
<u>Talkeetna Public</u>	<u>Library: Hours are Tuesday; ne</u>	oon - 8PM, Wednesday through Frida	y; 11AM -	
6PM, Saturday;				
The name and m	ailing address of interested parti of the incorporation proceeding	es recommended by the petitioners to	receive	
Talkeetna Comp	nunity Council, P.O. Box 608,	Talkeetna, AK. 99676		
	h, 350 E. Dahlia, Palmer, AK. ber of Commerce, P.O. Box 33			
	rical Society, P.O. Box 76, Tall			
	V.F.W. P.O. Box 268. Talkeetna AK. 99676			

## Exhibit G FEDERAL VOTING RIGHTS ACT INFORMATION

(use additional pages, if necessary)

In an effort to promote proper consideration of this incorporation proposal, the petitioners have provided information relevant to the Federal Voting Rights Act. The Federal Voting Rights Act was adopted in 1965 to enforce the provision in the U.S. Constitution that "the rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude." The Act provides that "no voting qualification or prerequisite to voting or standard, practice or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgment of the right of any citizen of the United States to vote on account of race or color, ... [or because a citizen] is a member of a language minority group." The following information relevant to the federal Voting Rights Act is provided:

Population of the territory by race. Predominately Caucasian.

Description of the participation by minorities (if any) in the development of the incorporation proposal. None participated in this phase.

Statement concerning minorities' understanding of English in written and spoken forms within the territory proposed for incorporation. All communicate in English.

Statement concerning the effect of the proposed incorporation on the voting rights of minorities. There will be no changes.

## Exhibit H TRANSITION PLAN

The attached transition plan provides a detailed plan providing for the transition to city government, including tentative dates for the assumption of powers, duties, assets and liabilities. The petitioners developed this plan in cooperation with the borough and all other affected municipal governments.

The transition plan demonstrates:

- (a) the intent and capability of the petitioners to extend essential city services into the territory proposed for incorporation;
- (b) the manner in which the city will assume all relevant and appropriate powers, duties, rights and functions presently exercised by any existing entity located in the territory proposed for incorporation; and
- (c) the manner in which the city will assume and integrate all relevant and appropriate assets and liabilities of any existing entity located in the territory proposed for city incorporation, and procedures as to how the transfer will occur without loss of value in assets or loss of credit reputation.

The plan is designed to create an orderly, efficient and economic transition to city government in the shortest practicable time, not to exceed two years after the effective date of the proposed change.

#### **OVERVIEW**

The city council will establish city government policies and procedures and reach all decisions by seeking input from community members and land owners both resident and non-resident. Additionally, the council will work closely with the Mat-Su Borough to assure a smooth transition of services.

#### TRANSITION OF SERVICE AREAS

The new city will take over the following service areas from the borough: water and flood control, road maintenance, and water and sewer.

The water and flood control service area would become a "differential service area" under the city and the current mil rate of .9 would remain. Any fund balance would be transferred from the borough to the city.

The road service would become a city service and the city residents would no longer pay the borough for this service; instead they would pay the City of Talkeetna for this service. The remainder of Road Service Area #29 could be combined with RSA #15 by one of two methods: MSB Assembly could pass an ordinance doing so, or the registered voters in each service area could vote to consolidate.

Although the Freedom Hills Subdivision is included in the proposed City of Talkeetna boundaries, the original petition for incorporation did not include the existing access road for the Freedom Hills Subdivision because of an unresolved long-term dispute between the borough and land owners. The borough has informed the petitioners that it is "exploring various options for a new access road to Freedom Hills Subdivision.

Those options include improving the existing road to the subdivision, or constructing a new access either from the north or the south. No decision is expected to be made until more research and investigation is made on the costs and merits of each route. Due to the heavy workload of Public Works during the summer months, the needed research and investigations will not be done until fall." (May 12, 1999, correspondence from Michael J. Scott, Borough Manager, to petitioners.)

Since the existing road is outside the original proposed boundaries, and since a city should include "all land and water necessary to provide the full development of city services on an efficient, cost-effective level", the petitioners propose to amend the city boundaries to include T26N, R4W, Section 28. This will insure that all potential access routes to the Freedom Hills will be within the city boundary.

The water and sewer area, which currently operates without a mil rate, would be turned over to the City of Talkeetna. According to one consultant, "You're on the hook anyway, whether you like it or not." The existing "user fees" or a "differential tax zone" will provide the source of revenue for this service. The petitioners strongly advise that the City of Talkeetna work to develop an agreement with the borough that would address issues and delineate responsibility for solutions to the inherent problems which this system experiences.

It is the aim or the petitioners to have the cemetery become a city service. Currently, the cemetery is property of the BLM and is entirely run by volunteers. Burial fees are collected. The city would negotiate within the first year to take over ownership of the cemetary and would continue to collect fees, and keep the current cemetery board in place.

#### NONAREAWIDE SERVICES

The petitioners propose to take over management of solid waste disposal within eighteen months of incorporation. It is our intention to investigate options for a better level of service for the Northern Susitna region, including the possibility of supporting the borough's proposal to combine the Trapper Creek, Sunshine and Talkeetna transfer sites into a larger site near the "Y". Another option would be to contract with area refuse services to promote waste reduction and recycling, thereby reducing the costs of solid waste disposal.

The petitioners propose to take over management of animal control within six months of incorporation, library services within eighteen months of incorporation, and other nonareadwide services on a case-by-case basis as it becomes efficient and economically beneficial to the city and borough to do so.

#### **AREAWIDE SERVICES**

It is the desire of the petitioners to see that the city council form agreements with the borough to assume powers for the areawide service of parks and recreation within the first six months of incorporation. Currently, the MSB manages Talkeetna-area parks and recreation services by sub-contracting to local operators. It is the intention of the petitioners to upgrade area parks and to provide a summer recreation program for youth and adults.

It is also the intention of the petitioners to establish a local planning commission as the first step in the Borough planning process.

The City of Talkeetna should adopt the emergency preparedness plan developed by the Mat-Su Borough.

#### STATE LAND SELECTION

The City of Talkeetna should work with the State of Alaska to select lands to which it is entitled according to state statute.

#### **EXISTING ORDINANCES AND PERMITS**

The new city will recognize as valid all conditional use permits and variances granted by the borough before the city incorporation date.

#### TRANSITION MEETINGS

Within the first six months after the date of incorporation the mayor will meet with borough officials to review and obtain copies of necessary documentation for the city files.

The city mayor will meet with the borough mayor at least three times within the first six months of incorporation to establish communication and a healthy relationship between the two governing bodies. The council will invite the borough assembly to Talkeetna for a public meeting within the first three months to further solidify this cooperative relationship. The city's attorney and the borough's attorney will also attend these meetings.

The newly hired city clerk and city manager will meet as many times as is necessary with their counterparts in the borough to establish procedures and examine and copy tax records and other pertinent documents necessary for the city to operate.

The council will meet with DCRA officials within the first two months to become informed on revenue sharing and other state assistance available to the city.

The mayor and/or council will meet with other key officials of the state and borough as is necessary to establish working relationships with those entities.

#### **ESTABLISHMENT OF CITY OFFICE**

The clerk and manager will secure, with the consent of the council, a place of business for the city and will purchase all necessary items, with secured start up funds, necessary for the establishment of the city office.

#### **REVENUE COLLECTION**

The mayor will complete necessary paper work in the first month following incorporation, to secure the transfer of start-up grant from the state. The council will establish necessary procedures and set up accounts for the necessary funds.

#### **BYLAWS**

Within the first month, the council will meet as many times as is necessary to establish the bylaws and adopt the charter. They will also pass initial ordinances with the assistance of the retained attorney, to get city services established.

#### **TIMETABLE**

The following is a time table for the establishment of the new city government.

- Hiring of clerk and manager	within one one month
- leasing of office space	within second month
- Application for initial state funds	within first month
- Accounting procedures set up	within first month
- Adoption of by-laws	end of second month
- City office in full operation	by end of 3rd month
- Completion of transition meetings	by end of 6th month

### Exhibit I PETITIONERS' BRIEF

Attached is a written statement fully explaining how the incorporation satisfies all the standards set forth in Article X. Section 7 of the Alaska Constitution, AS 29.05.011 - 29.05.021, AS 29.05.130, and 19 AAC 10.010. - 19

AAC 10.040

public policy. Assertions are supported with detailed facts, including census data and reports from state or federal agencies. The brief also examines whether the needed services can be better provided by a city than on an area wide, non-area wide or service area basis by the borough in which the proposed city is located, or by annexation to an existing municipality.

### Part I: Need for City Government 19 AAC 10.010

We, the petitioners, believe that an incorporated city of Talkeetna can efficiently and economically provide for the services and needs of the area proposed for incorporation. While many Talkeetna residents settled in the area to escape from the ways of the city and have been reluctant to add another layer of government to their lives, it has become obvious that an increasing population base along with an increasing number of visitors requires a locally based government to effectively deal with social, economic, health, safety, and general welfare issues faced by local citizens. We believe that by incorporating as a home rule city and by establishing a Council-Manager form of city government the citizens of Talkeetna will best be served.

Talkeetna citizens must presently drive ninety miles to Palmer, Alaska in order to affect decisions which govern their lives. By the nature of this distance, it is difficult for local residents to make known their wishes and desires on issues affecting local concerns. Public hearings on road service policy, noise ordinances, or comments on the appropriate level of support for parks and recreation require a four hour round trip drive, frequently at night on icy winter roads. Clearly, this is not an efficient or economic method of conducting local government.

The Matanuska-Susitna Borough's population base is centered in Palmer and Wasilla, two communities whose policies toward resource and economic development are often different than policies desired by the citizens of Talkeetna. The majority of elected representative to the Matanuska-Susitna Borough Assembly are quite rightly more concerned with urban issues and are not as familiar with the issues and problems faced by our more rural/remote community. Consequently, it is difficult and an inefficient use of time and energy for local citizens to inform assembly representatives and borough officials about issues which could be more effectively dealt with at the local level.

The Matanuska-Susitna Borough is very large (about the size of the state of West Virginia). We agree with the combined resolution No. 89-1 of the City of Wasilla and the City of Palmer, "that the present physical size and the socioeconomic diversities within the Matanuska-Susitna Borough result in significant inefficiencies and inequities in the provision of and cost of government services." (See Exhibit M)

A 1994 Talkeetna Impact Study sponsored by the Matanuska-Susitna Borough and the National Parks Service found, "Practically and figuratively, city incorporation will be a milestone event in Talkeetna's evolution. In our judgment, the choice whether to form a city government should primarily be made on broad concerns about overall community needs, not as an ad hoc response to visitor center concerns." (Exhibit M, Transport Pacific Study, p. 2-20) Presently, we believe that broad concerns, not an isolated issue, are the driving force behind this move to incorporate Talkeetna as a city. The economic development of Talkeetna is an on-going issue that will not go

away. The primary question is whether or not Talkeetna residents want to deal with these issues on a local level, or whether we prefer that responsibility and decision making powers remain with a government body located ninety miles away.

A 1991 Matanuska-Borough random survey showed 52% favored incorporation and a 1991 Talkeetna Community Council advisory vote showed 80% favored investigating incorporation options. We, the petitioners, believe that a majority of Talkeetna residents are ready to assume the responsibility of incorporation as a home rule city. A local city government will:

- \* Create a process for local citizens to make informed and binding decisions using a city council form of government backed by the people's right of initiative and referendum.
- \* Better provide the level of services desired by the community.
- \* Establish, as needed and desired, controls over development that affect the quality of life in our community due to pressures of increasing population.
- \* Provide a credible local voice to deal with all political and bureaucratic entities.
- \* Better match operating and capital funds with local priorities.

### Part II: Adequate economy for city government 19 AAC 10.020

#### Land Value

The 1997 assessed value of the land within the proposed city of Talkeetna is \$33,000,000.

#### Revenues

A combination of sales and property tax, user fees, along with municipal assistance and state revenue sharing will adequately provide the revenues necessary to sustain the services required by local citizens. The 1994 Talkeetna Impact Study sponsored by the Matanuska-Susitna Borough and National Park Service supports this. "The main sources of local revenues for city governments are real and personal property taxes and sales taxes. If Talkeetna incorporated, a seasonal sales tax could generate substantial revenues from visitor expenditures to be used to defray tourism impacts as well as other community programs."

#### Economic Base and Anticipated Development

According to the Talkeetna Comprehensive Plan, "The challenge facing Talkeetna in the future as it determines its economic well-being will be to balance and sustain the healthy economy while preserving the small town ambiance and rural lifestyle desired by many of its residents." Presently, Talkeetna's economic base is healthy and diverse. Exist ing industries include: 1) the expanding trade and service industries, 2) the air transportation industry supporting mountaineering, flight seeing, recreational activities, and access to remote properties, 3) the railroad as a historic source of passenger and freight, 4) the recreational industry which includes fishing, boating, hiking, hunting, and winter sports, 5) the communication industry, and 6) government and educational services. (Exhibit M, Talkeetna Comprehensive Plan pp. 1-9 to 1-13 and Appendix E)

#### **Human Resources**

Talkeetna is inhabited by a diverse group of people. Most importantly, "People are here because they value clean air and water, space to live, a safe place to raise children, a sense of community, and wilderness out the back door." (p. vi., Talkeetna Comprehensive Plan) These qualities are ones which Talkeetna shares with many rural Alaskan communities and one which Talkeetna residents value highly. We believe that the variety of skills offered by area residents are more than adequate to operate a local government.

#### Part III: Stable Population Base 19 AAC 10.030

The Talkeetna Economic Profile (Exhibit M, Appendix E, Talkeetna Comprehensive Plan) provides evidence of a stable and skilled population base.

#### Part IV: Boundaries 19 AAC 10.040

The boundaries of the proposed city of Talkeetna are the same as those of the Talkeetna Community Council, an organization that has served as the area's advisory council since 1988. The approximately square miles proposed for incorporation is bounded by the Talkeetna River to the north, the Susitna River to the west, and Answer Creek to the south. The lands one mile to either side of the Talkeetna Spur Road, as well as the area between the Comsat Road and the Talkeetna River Subdivision are included within the boundaries. (The boundaries are shown as Exhibit B and Exhibit C.)

The following factors were considered when determining the boundary:

#### Land Use and Ownership Patterns

According to the Talkeetna Comprehensive Plan, "Historically land has been developed in the Talkeetna planning area by residents either locating in the area because of commercial and employment opportunities or because o f a desire to live in a small community and semi-wilderness setting." It would be safe to say that this land use pattern largely remains in effect today.

Land use goals were discussed and developed over a period of five years during the comprehensive planning process and in many ways these goals serve as the foundation for this petition to incorporate Talkeetna as a city. Once again, we, the petitioners, believe that a local governing body can best achieve these goals efficiently and economically.

The Land Use and Community Development Goals of the comprehensive plan are as follows:

- \* Maintain the community's small town atmosphere, sense of community, and high quality of life.
- \* Protect and conserve the wilderness values and natural resources of the lands surrounding Talkeetna.
- \* Keep Talkeetna a pleasant place to live, work, and visit.
- \* Plan and provide for population growth which can be adequately absorbed by the area, without negative impacts on the sense of community, services, the environment, or the quality of life.
- \* Guide development in a manner which enhances Talkeetna's natural appeal, taking steps to ensure that future growth and change will build a desirable human environment.
- \* Maintain Talkeetna's major recreation and ecologically sound wurism economy and avoid conflicting activities.

\* Respect, preserve, and enhance the historic essence of Talkeetna, which contributes to the identity and special sense of place which form an integral part of Talkeetna's appeal.

Land ownership within the proposed boundaries is a mix of federal, state, borough, native, private, Alaska Railroad, and University of Alaska lands. (See Exhibit M, Talkeetna Comprehensive Plan, Existing Land Ownership pp. 3-1 to 3-11.)

#### **Population Density**

The proposed city is predominately low-density, with most housing occurring in the town site or in road-accessible subdivisions. According to the Talkeetna Comprehensive Plan, "Less than half of the housing units in the planning area are located in the east and west town sites (39%) while 61% are located in the outlying area outside of the town site."

#### Transportation Patterns and Facilities

Talkeetna is located at the end of the Talkeetna Spur Road and serves as a transportation hub for automobiles, trucks, boats, airplanes, the Alaska railroad, and numerous off-road vehicles. There are hiking, biking, and ski trails within the proposed boundaries. (see Exhibit M, Talkeetna Comprehensive Plan, Transportation Plan, pp. 5-1 to 5-26.)

The proposed boundaries of the city of Talkeetna are all completely within the boundaries of the local fire service, road service, and emergency medical service area boundaries.

#### Natural Geographic Features and Environmental Factors

The proposed city of Talkeetna is located in the northern Susitna River drainage basin near of the confluences of the Susitna, Chulitna, and the Talkeetna Rivers. The natural and physical environment of the city is included as part of Exhibit M, Talkeetna Comprehensive Plan, Chapter 2, pp. 2-1 to 2-11.

#### Extra territorial Powers of the City

The proposed city of Talkeetna will have no extra territorial powers.

#### No Other Government Body Can Provide the Needed Services

There is no other incorporated city in the northern Susitna Valley. All municipal services are presently administered by the Matanuska-Susitna Borough.

# Exhibit J AFFIDAVIT CONCERNING THE SOURCE AND ACCURACY OF THE INFORMATION IN THE PETITION

ST	ATE OF ALASKA )
	) ss. JUDICIAL DISTRICT )
AF	FIDAVIT OF PETITIONERS' REPRESENTATIVE
	Sandra Norberg Shoulders, representative of the petitioners for incorporation of the City on alkeetna Alaska, being sworn, state the following:
1.	The description of the boundaries of the territory proposed for incorporation presented in Exhibit B was prepared by: <u>Talkeetna Surveying</u> .
<b>2</b> .	The map depicting the boundaries of the territory proposed for incorporation presented in Exhibit C was prepared by: Mat-Su Borough.
3.	The estimated population of the territory proposed for incorporation presented in paragraph #7 of the petition was provided by: Mat-Su Borough.
4	The information provided in paragraph #11 of the petition concerning the taxable value of property in the area proposed for incorporation was provided by: Mat-Su Borough.
5.	The information provided in paragraph #12 of the petition concerning existing borough taxes was provided by: Mat-Su Borough.
6.	The information provided in paragraph #13 of the petition concerning existing borough services was provided by Mat-Su Borough.
7.	The transition plan presented as Exhibit H was prepared in consultation with the following persons: Don Moore, Manager of Mat-Su Borough; John Duffy, Planner, Mat-Su Borough.
8.	The information contained in the petition for incorporation is complete and factual to the best of my knowledge.
	Petitioner's Representative
SU	UBSCRIBED AND SWORN TO before me on, 199
	[notary seal]
	Notary Public in and for Alaska My Commission expires:

Barbara Anne Meren	- BARBARA ANNE MERCER
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Signature P.O-Bex 566	Date: 9-2-99 Printed Name
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Talkeetna, AK 99676	Date:
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Chitcher J. Manny Signature Mile 9. B Talkeetna Sour Rol Talkeetna, AK 99676  Street Address (or equivalent)	Christopher J. Mannix Printed Name  Date: 6/21/99  056-40-2509  ID# or SSN
Signature Signature  Mile 9.8 Selfestne Span  Selfestre, AK 99676  Street Address (or equivalent)	Barbara Mannix   Printed Name     Date: 6/21/99     105-46-4628     ID# or SSN

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Karen Holt Signature P.O. BOX 489 TALKEETNA, AK 99616	Date: 6-25-99 Printed Name
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Talkeetna Ak 99676 570.92-5828  Street Address (or equivalent) ID# or SSN
Rich Schreiber Bick Schreiber
Date: 4/1/99 Printed Name
597 191 Lave 553-35-4948
Street Address (or equivalent) ID # or SSN
Jeanne Icke Jeanne Ickes
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